

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 33-37, 41, 42, and 44-47 are pending in the application, with claims 33, 34, 41, 44, and 47 being the independent claims. Claims 32, 38-40, and 43 are sought to be canceled without prejudice to or disclaimer of the subject matter therein. Claims 33, 34, 41, 42, 44, and 47 are sought to be amended. Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Elections/Restrictions

Applicant has canceled claims 1-31 without prejudice to or disclaimer of the subject matter therein.

Objections to the Specification

The Office Action objected to paragraph 42 of the Specification because at one location incorrect reference number "204" is used in referring to feature "distance d". (See, Office Action at p. 2.) Accordingly, Applicant has amended paragraph 42 to replace incorrect reference number "204" with correct reference number "206" at the location of the error. Therefore, Applicant respectfully requests that the Examiner reconsider and remove his objection to paragraph 42 of the Specification.

The Office Action also objected to paragraph 64 of the Specification because incorrect reference numbers "1712, 1722, 1732, and 1742" are used in referring to features "opaque centers". (See, Office Action at p. 2.) Accordingly, Applicant has amended paragraph 64 to replace incorrect reference numbers "1712, 1722, 1732, and 1742" with correct reference numbers "1714, 1724, 1734, and 1744". Therefore, Applicant respectfully requests that the Examiner reconsider and remove his objection to paragraph 64 of the Specification.

Objections to the Claims

The Office Action objected to claim 43 because "the term 'minimizes' seems to be grammatically incorrect[.]" (Office Action at p. 2.) Applicant has canceled claim 43 without prejudice to or disclaimer of the subject matter therein, thereby rendering this objection moot.

Objections to the Drawings

The Office Action objected to Figures 1-7 for lack of "a legend such as --Prior Art-- because only that which is old is illustrated." (Office Action at p. 2.) Accordingly, Applicant has amended Figures 1-7 to include the legend "Prior Art". Therefore, Applicant respectfully requests that the Examiner reconsider and remove his objections to Figures 1-7.

Rejections Under 35 U.S.C. § 102

The Office Action rejected claims 32 and 38-46 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,265,539 to Gaffard (hereinafter "Gaffard"). (*See*, Office Action at pp. 2-3.)

Regarding claims 32, 38-40, and 43, Applicant has canceled these claims without prejudice to or disclaimer of the subject matter therein, thereby rendering these rejections moot.

Regarding claims 41, 42, and 44-46, Applicant traverses these rejections.

Amended independent claim 41 recites (emphasis added), *inter alia*, "wherein the apparatus designed for optical system coherence testing ***simultaneously*** tests for both horizontal and vertical spatial coherence". Gaffard does not disclose, teach, or suggest this feature. To the contrary, Gaffard expressly discloses: "If the assembly formed by the device is made to rotate by a predetermined angle about the axis of the laser beam, it is possible to make measurements at points situated on another diameter of the beam." (Gaffard at col. 5, lines 1-4.) Therefore, amended claim 41 is not anticipated by Gaffard. Amended claim 42 also is not anticipated by Gaffard because it depends from claim 41 and because of the additional distinctive features of claim 42. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove his rejections of claims 41 and 42 under U.S.C. § 102(b).

Amended independent claim 44 recites (emphasis added), *inter alia*, "wherein the means to observe interference patterns is a ***recording medium***". Gaffard does not disclose, teach, or suggest this feature. Therefore, amended claim 44 is not anticipated by Gaffard. Claims 45 and 46 also are not anticipated by Gaffard because they depend from claim 44 and because of the additional distinctive features of claims 45 and 46.

Accordingly, Applicant respectfully requests that the Examiner reconsider and remove his rejections of claims 44-46 under U.S.C. § 102(b).

Allowable Subject Matter

The Office Action objected to claims 33-37 and 47 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim." (Office Action at p. 3.) Accordingly, Applicant has amended claims 33, 34, and 47 to include all of the features of independent claim 32. Claims 35-37 remain dependent from amended claim 34. Therefore, Applicant respectfully requests that the Examiner reconsider and remove his objections to claims 33-37 and 47, and that these claims be passed to allowance.

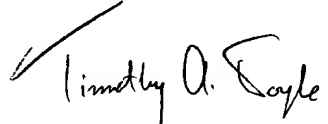
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, reading "Timothy A. Doyle". The signature is written in a cursive style with a checkmark-like flourish at the beginning.

Timothy A. Doyle
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Date: 3 SEP 04

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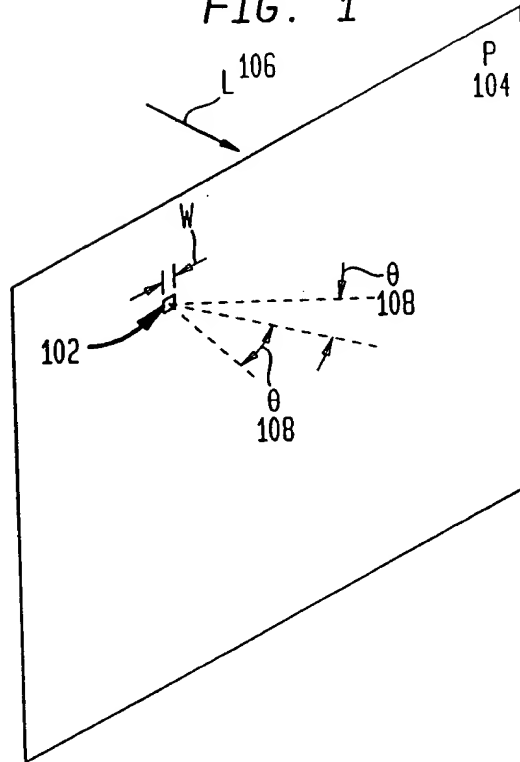
Amendments to the Drawings

Please amend Figures 1-7 according to the Request to Approve Proposed
Drawing Corrections filed herewith.



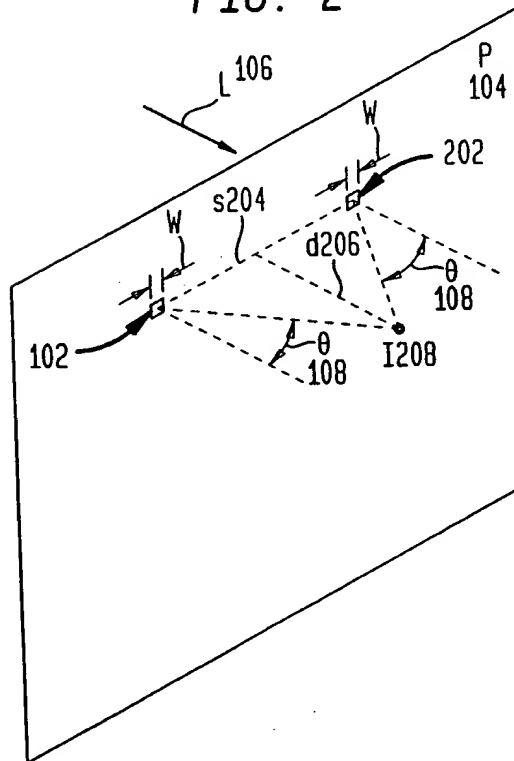
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FIG. 1



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FIG. 2

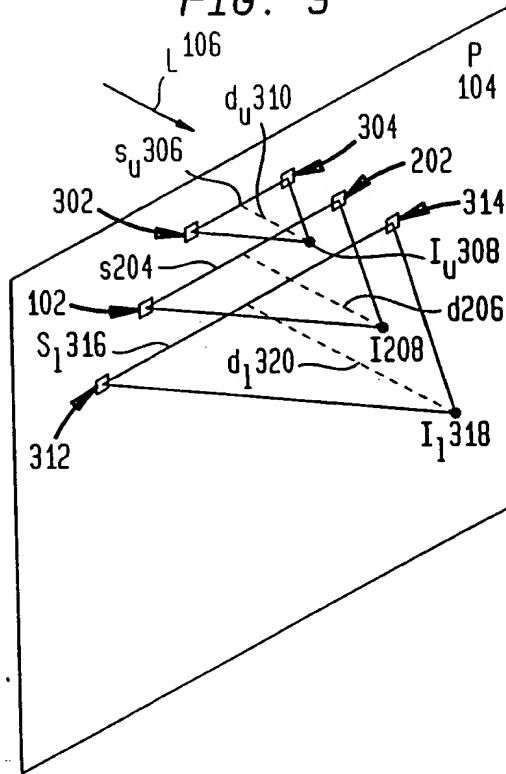


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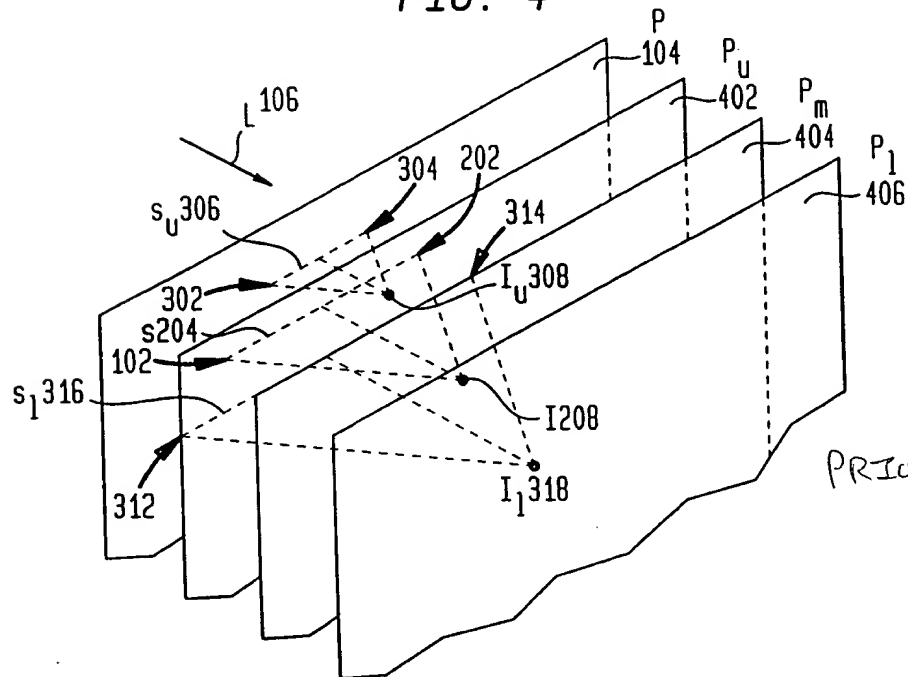
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FIG. 3



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FIG. 4



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FIG. 5

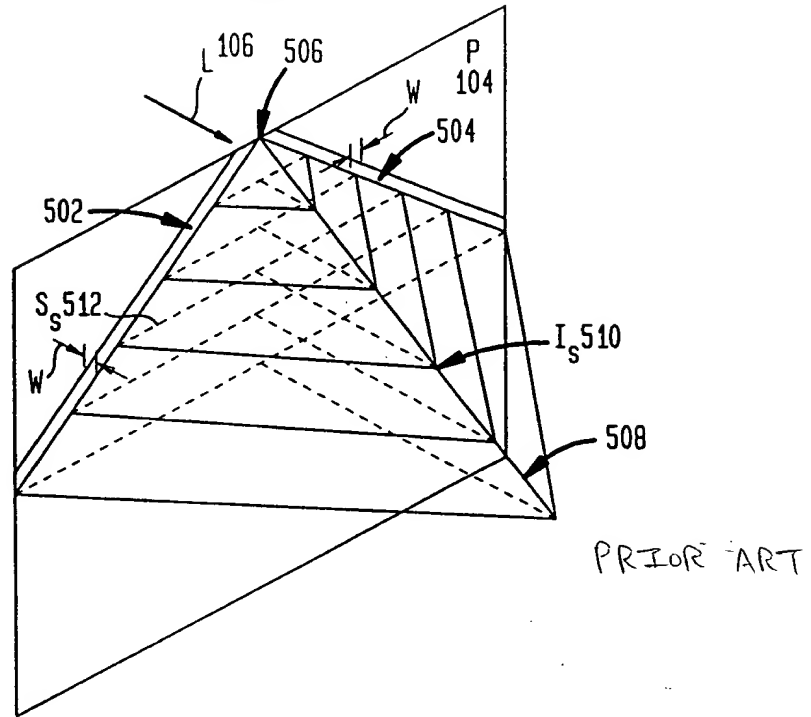
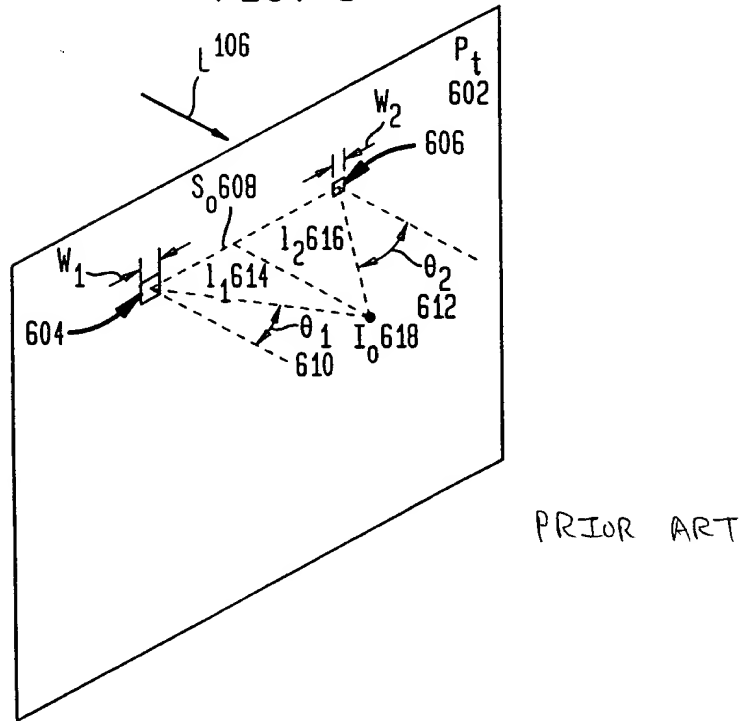
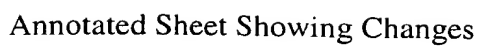


FIG. 6





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FIG. 7

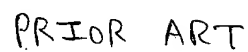


FIG. 8

